

3.4.2021

Dear Senator Winfield, Representative Stafstrom, ranking members Kissel and Fishbein and distinguished members of the Judiciary Committee:

I write to ask your support for HB-6355. I am a Trumbull resident living not far from Sandy Hook Elementary School and stand by the values and actions of local organizations that work to save lives in our state. As a former hospital social worker, I have unfortunately been a witness to the consequences of injury and death by firearms.

Most, if not all of us, no matter our background, where we live, personal circumstances or preferred pastimes, want to live in safety without fear of harm and we value the lives of those we hold dear. In recognition of this, it is noteworthy that Connecticut was the first state in the nation to pass an Extreme Risk Protection Order (ERPO) law in 1999. It offers a last resort, with due process protections, to temporarily remove firearms from individuals judged to be at risk of imminent harm to themselves or others. This legislation has been shown to be effective against firearm suicide and mass shootings.

For example, risk protection laws reduced the incidence of firearm suicide in a Duke/Yale/UCONN study (<https://medicine.yale.edu/news-article/13939/>) and the Consortium for Risk-Based Firearm Policy addressed the efficacy of ERPO legislation to prevent suicide and mass shootings in this October 2020 paper: <https://americanhealth.jhu.edu/news/new-report-erpo-policy-and-implementation>

The additional protection of allowing family members to petition the court directly, as 12 other states do, provides a means of initiating the process for people who are fearful of involving law enforcement or who are concerned about stigmatizing the gun owner as a criminal.

Claims by opponents that ERPO laws violate due process are without merit. According to the Giffords Law Center, no court has invalidated an extreme risk protection order or risk-warrant law. Courts in Connecticut, Indiana, and Florida that have heard challenges to ERPO laws have held they do not violate the due process and/or are constitutional under the Second Amendment. There is no evidence that the process is used to harass gun owners. Judges are required to have clear and convincing evidence to issue final risk protection orders.

We have the opportunity now to save more lives by strengthening the law. In particular, when the protection order expires, an evaluation should be required to determine if the subject presents a risk of violence before the firearms are returned. That is not the case now.

I ask that you favorably report HB-6355 out of committee so that the General Assembly can vote to strengthen our Extreme Risk Protection law so that it works harder to prevent firearm suicide and homicide. Thank you for your consideration.

Sincerely,

Janet Epstein

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